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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,796	04/27/2001	David Corboy	06975-094001 / Brower 02	7378
26171	7590	07/01/2004	EXAMINER JACOBS, LASHONDA T	
FISH & RICHARDSON P.C. 1425 K STREET, N.W. 11TH FLOOR WASHINGTON, DC 20005-3500			ART UNIT 2157	PAPER NUMBER

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	S
	09/842,796	CORBOY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	LaShonda T. Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 April 2001.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-39 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 April 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “905” has been used to designate both a desktop and toolbar. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: note reference numeral 515 on pg. 12, line 26 and reference numeral 910 on pg. 22, line 4. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-25, 27-28 and 30-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Pasquali.

As per claims 1, 17, and 22, Pasquali discloses a communications method, computer program and apparatus for transferring electronic data to users of a communication system comprising:

- establishing a connection between a client and a host, the client including a browser application configured to render data encapsulated in a standard Internet content format (col. 7, lines 1-26);
- receiving electronic data from the host in response to a data request transmitted from the client (col. 7, lines 59-67, col. 8, lines 21-24, lines 57-67 and col. 9, lines 1-6); and
- at the client, simultaneously executing multiple instantiations of the browser application in response to the electronic data received from the host (col. 9, lines 48-67 and col. 10, lines 1-32),
- wherein at least one instantiation of the browser is configured to exchange messages with at least one other instantiation of the browser application (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claim **23**, Pasquali discloses a communication method for transferring electronic data to users of a communications system, the method comprising:

- establishing a connection between a client and a host, the client including a browser application configured to render data encapsulated in a standard Internet content format (col. 7, lines 1-26);
- transmitting electronic data from the host in response to a data request received from the client (col. 7, lines 59-67, col. 8, lines 21-24, lines 57-67 and col. 9, lines 1-6); and
- wherein the electronic data comprises instructions for simultaneously executing multiple instantiations of the browser application, at least one instantiation of the browser application being configured to exchange messages with at least one other instantiation of the browser application (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claim **2**, Pasquali further discloses:

- rendering a first graphical user interface within a first instantiation of the browser and rendering a second graphical user interface in a second instantiation of the browser (col. 9, lines 7-20, lines 48-67 and col. 10, lines 1-32).

As per claim **3**, Pasquali further discloses:

- establishing a communication pathway between multiple instantiations of the browser applications by executing coordinating code in each instantiation of the browser (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claim **4**, Pasquali discloses:

- wherein the coordinating code is written in a standard Internet content format (col. lines 2-7, col. 7, lines 10-13, col. 9, lines 9-20 and col. 11, lines 17-22).

As per claim 5, Pasquali further discloses:

- establishing communications session in a first instantiation of the browser (col. 9, lines 7-20, lines 48-67 and col. 10, lines 1-32).

As per claim 6, Pasquali further discloses:

- controlling the communications session in the first instantiation of the browser (col. 9, lines 7-20, lines 48-67 and col. 10, lines 1-32).

As per claim 7, Pasquali further discloses:

- displaying content associated with the session in a second instantiation of the browser application (col. 9, lines 7-20, lines 48-67 and col. 10, lines 1-32).

As per claim 8, Pasquali discloses:

- wherein the data request is transmitted using an OSP client application (col. 7, lines 59-67).

As per claim 9, Pasquali discloses:

- wherein the data request is transmitted using the browser application (col. 6, lines 60-67, col. 7, lines 27-40 and col. 9, lines 7-20).

As per claim 10, Pasquali discloses:

- wherein the browser application is embedded within an OSP application (col. 6, lines 60-67, col. 7, lines 27-40, lines 59-67 and col. 9, lines 7-20).

As per claim 11, Pasquali discloses:

- wherein the standard Internet content format comprises at least one HTML, CSS and Java Script (col. lines 2-7, col. 7, lines 10-13, col. 9, lines 9-20 and col. 11, lines 17-22).

As per claim 12, Pasquali discloses:

- wherein the first instantiation of the browser comprises a welcome screen (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claim 13, Pasquali discloses:

- wherein the first instantiation of the browser comprises a toolbar (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claim 14, Pasquali discloses:

- wherein the first instantiation of the browser comprises an electronic mail window (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claim 15, Pasquali discloses:

- wherein a first instantiation of the browser comprises an instant messaging window (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claim 16, Pasquali discloses:

- wherein the first instantiation of the browser comprises a search window (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claim 18, Pasquali discloses:

- wherein the computer readable medium comprises a disc (col. 7, lines 27-40 and col. 8, lines 57-59).

As per claim 19, Pasquali discloses:

- wherein the computer readable medium comprises a client device (col. 6, lines 50-67 and col. 7, lines 1-26).

As per claim 20, Pasquali discloses:

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- wherein the computer readable medium comprises a host device (col. 6, lines 50-67 and col. 7, lines 1-26).

As per claim 21, Pasquali discloses:

- wherein the computer readable comprises a propagated signal (col. 6, lines 50-67 and col. 7, lines 1-26).

As per claims 24 and 25, Pasquali discloses:

- wherein each instantiation of the browser application is configured to exchange messages with at least one other instantiation of the browser application (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claims 27 and 30, Pasquali discloses:

- wherein the messages exchanged between instantiations of the browser application include session content (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claims 28 and 31, Pasquali discloses:

- wherein the messages exchanged between instantiations of the browser application include communication parameters for maintaining connection between instantiations of the browser application (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claims 32 and 34, Pasquali discloses:

- wherein the first instantiation of the browser application is dedicated to providing a first online service and at least one other instantiation of the browser application is dedicated to providing a second and different online service (col. 6, lines 60-67, col. 7, lines 27-40, lines 59-67 and col. 9, lines 7-20).

As per claims 33 and 35, Pasquali discloses:

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- wherein the first online service is an OSP service and the second online service is an instant messaging service (col. 6, lines 60-67, col. 7, lines 27-40, lines 59-67 and col. 9, lines 7-20).

As per claims 36 and 38, Pasquali discloses:

- wherein a first instantiation of the browser application is configured to receive content from a second instantiation of the browser application, said content being stored on a server that is not otherwise configured to communicate with the first instantiation of the browser application (col. 9, lines 48-67 and col. 10, lines 1-32).

As per claims 37 and 39, Pasquali discloses:

- wherein the first instantiation of the browser application is configured for email, the second instantiation is configured for instant messaging and the server is an instant messaging server (col. 9, lines 48-67 and col. 10, lines 1-32).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pasquali in view of Montulli.

As per claims 26 and 29, Pasquali discloses the invention substantially as claimed as discussed above.

However, Pasquali does not explicitly disclose:

- wherein the messages exchanged between instantiations of the browser application include state information.

In an analogous art, Montulli discloses a method and apparatus for transferring state information between a server computer and a client computer including:

- wherein the messages exchanged between instantiations of the browser application include state information (abstract, col. 2, lines 32-37, col. 4, lines 52-57 and col. 7, lines 21-31).

Given the teaching of Montulli, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pasquali by including state information within the messages being sent between the client and server computers to provide and store information about the client on the server thereby allowing the client to view web documents without having to re-enter any identification information.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,321,209 to Pasquali

U.S. Pat. No. 5,859,972 to Subramaniam

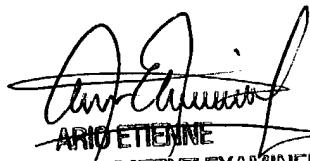
Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T. Jacobs  
Examiner  
Art Unit 2157

ltj  
June 24, 2004

  
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JUN 24 2004